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**FEDERAL COMMUNICATIONS COMMISSION**

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WASHINGTON DC 20554

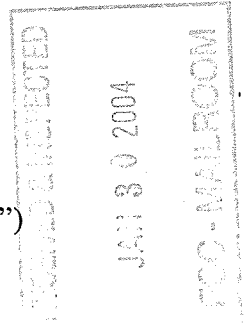
MEDIA BUREAU  
AUDIO DIVISION  
TECHNICAL PROCESSING GROUP  
APPLICATION STATUS: (202) 418-2730  
HOME PAGE: [www.fcc.gov/mb/audio](http://www.fcc.gov/mb/audio)

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JAN 28 2004

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Washington, DC 20006

In re: Radio One Licenses, LLC ("Radio One")  
WWIN(AM), Baltimore, Maryland  
Facility ID No: 54709  
BP-20030603AEJ



Dear Ms. Reed:

This is in reference to the above-captioned application for Radio One to relocate its transmitter and reduce power. Radio One requests waiver of Section 73.37 concerning prohibited contour overlap and Section 73.24(i) concerning the city coverage requirement. We will grant both waiver requests and the application for the following reasons:

Waiver Request of Section 73.4(i):

Section 73.24(i) of the Commission's rules requires that the 5 mV/m daytime contour provide 100% coverage to the community of license and that the nighttime interference-free contour provide 80% coverage to the community of license.<sup>1</sup> The present WWIN operation provided 99.5% daytime and 38% nighttime coverage of Baltimore. The proposed daytime coverage of Baltimore is given as 86.3% of the land area and 87.2% of the population and the proposed nighttime coverage was 26.8% of the area and 29.6% of the population. Therefore, a waiver of Section 73.24(i) is needed.

In support of waiver of Section 73.24(i), Radio One notes that: (1) there is "extensive precedent for granting a waiver of the daytime coverage requirement of Section 73.24(i) as long as 80% of the population or area of the principal community is served by the daytime 5 mV/m contour"; (2) the licensed nighttime operation does not provide 80% coverage; (3) 80% nighttime coverage would not be possible from any location; and (4) the proposed WWIN site is the most centrally located.

We find that the information provided in support of this waiver request is sufficient to grant the requested waiver. First, WWIN's loss of site was involuntary and its relocation was to a nearby site. Second, coverage of the entire city of Baltimore is impossible because of its size and

<sup>1</sup> See MM Docket 87-267, pg7, paragraphs 23-35, released April 29, 1993.

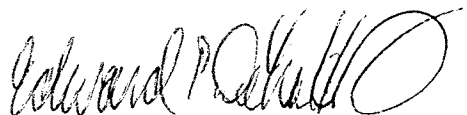
WWIN's power limitation. WWIN is a Class C station limited to 1000 watts, so it cannot increase power to meet the coverage requirement. Third, there is a great availability of other stations in Baltimore. There are 8 AM and 12 FM stations licensed to Baltimore. Finally, the Commission has previously, under similar circumstances, granted waiver for nighttime coverage under the 80% minimum nighttime requirement.<sup>2</sup> Accordingly the waiver request is granted.

Waiver Request of Section 73.37(a):

Radio One requests a waiver of Section 73.37(a) of the Commission's rules because the WWIN proposed 0.025 mV/m will overlap the 0.5 mV/m contour of co-channel Class C station WPCE. Section 73.37(a) prohibits such overlap. Radio One contends that the overlap is caused by a long salt water path. Since the Commission has granted similar requests in the past, (See Spann Communications, 4FCC Rcd 617 (1989)), Radio One's request for a waiver of 73.37(a) is granted.

Based on the foregoing, Radio One's request for waiver of Section 73.37(a) and Section 73.24(i) IS HEREBY GRANTED and the above-captioned application (File No: BP-20030603AEJ) IS HEREBY GRANTED.

Sincerely,



Edward P. De La Hunt, Associate Chief  
Audio Division  
Office of Broadcast License Policy  
Media Bureau

cc: Alan E. Gearing  
Radio One

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<sup>2</sup> See Bay City Communications Corp., 83 FCC 2d 210(1980) and MO&O, MM Docket 85-20 Fed. Reg. 5679(1985)